

PROB 12C
(793)

United States District Court
for
District of New Jersey

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Allen Travers

Docket Number: 04-00870-001

Name of Sentencing Judicial Officer: The Honorable Jose L. Linares, U.S.D.J.

Date of Original Sentence: 09/08/2006

Date of Violation Sentence: 01/09/2008

Original Offense: Possession of a weapon and ammunition by convicted felon.

Original Sentence: 36 months imprisonment followed by 2 years supervised release.

Violation Sentence: 4 months imprisonment followed by 2 years supervised release with 4 months community confinement.

Type of Supervision: Supervised release

Date Supervision Commenced: 02/08/2008

Assistant U.S. Attorney: David Malagold, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Donald McCauley, 972 Broad Street, 2nd Floor, Newark, New Jersey 07102, (973) 645-6347

PETITIONING THE COURT

To issue a warrant

The probation office alleges that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

The offender has violated the supervision conditions which state 'The defendant shall reside for a period of 4 months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.' and 'You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.'

On February 23, 2008, the probation office instructed Travers to report at 9:00 a.m. on February 28, 2008, to the Toler House Community Education Center for service of his four months community confinement condition. Travers failed to report to Toler House on February 28th as instructed or any time thereafter.

2 The offender has violated the supervision conditions which state '**You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.**' and '**The defendant is to refrain from associating with, or being in the company of, any members of the Crips street gang, or members of any other street gang. The defendant shall be restricted from frequenting any location where the Crips street gang members are known to congregate or meet; shall not wear, display, use, or possess any insignia, emblem, logo, jewelry, cap, hat, bandana, shoelace, or any article of clothing which has any Crips significance or is evidence of affiliation with, or membership in the Crips street gang.**'

On February 20, 2008, Travers associated with Ramon Morales, a Crip gang member and convicted felon.

3 The offender has violated the supervision conditions which state '**You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.**' and '**The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.**'

On February 13, 2008, Travers submitted a urine specimen which subsequently tested positive for marijuana.

4 The offender has violated the supervision conditions which state '**You shall not commit another federal, state or local crime during the term of supervision.**' and '**If convicted of a felony offense, the defendant shall not possess a firearm or destructive device.**'

On March 16, 2008, Travers was arrested by officers of the Newark Police Department for being in possession of Bryco Arms .380 caliber handgun with five rounds of ammunition. Travers was subsequently charged criminally with unlawful possession of a weapon.

5 The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

On or before March 19, 2008, Travers failed to notify the probation office of his arrest by Newark Police Department officers on March 16, 2008.

6 The offender has violated the supervision condition which states '**the defendant shall pay to the United States a special assessment of \$100; which shall be due immediately.**'

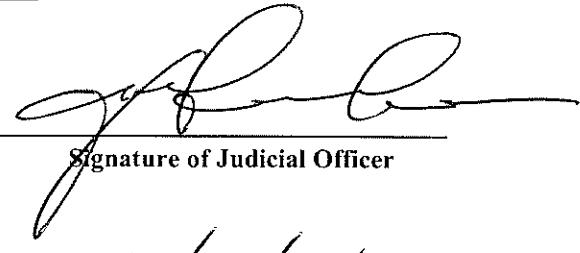
Travers has not made any payments towards his court ordered financial obligation of \$100.

I declare under penalty of perjury that the foregoing is true and correct.

s/Paul E. Choinski
By: Paul E. Choinski
U.S. Probation Officer
Date: 7/2/08

THE COURT ORDERS:

The Issuance of a Warrant
 The Issuance of a Summons. Date of Hearing: _____.
 No Action
 Other


Signature of Judicial Officer

7/2/08
Date